

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

YURI STAROSTENKO and IRINA  
TSAREVA,

Plaintiffs,

-v.-

UBS AG (A SWISS BANK) and UBS  
(BAHAMAS) LTD,

Defendants.

19 Civ. 9993 (KPF)

**ORDER**

KATHERINE POLK FAILLA, District Judge:

The Court is in receipt of pre-motion letters from Defendants UBS (Bahamas) and UBS AG stating Defendants' intention to file motions to dismiss Plaintiffs' Second Amended Complaint. (Dkt. #84 (Bahamas), 87 (AG)).

Plaintiffs have filed responsive letters arguing that Defendants' contemplated motions should be denied or, in the alternative, deferred until after a pre-motion conference or trial. (Dkt. #85, 88).

The Court rejects Plaintiffs' three proposed courses of action. *First*, the Court will not deny Defendants' motions before Defendants have had an opportunity to file them. *Second*, given the volume and detail of information contained in the parties' submissions, the Court does not believe that a pre-motion conference would be beneficial at this time. And *third*, the Court will not defer decision on motions that may obviate the need for a trial in this case.

Accordingly, the Court directs the Clerk of Court to unstay this action and sets the following briefing schedule for Defendants' contemplated motions to dismiss:

- Defendants shall file a consolidated motion to dismiss on or before **November 12, 2021**;
- Plaintiffs shall file their opposition to the consolidated motion, if any, on or before **December 10, 2021**;
- Defendants shall file a consolidated reply, if any, on or before **January 3, 2022**.

SO ORDERED.

Dated: October 14, 2021  
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

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KATHERINE POLK FAILLA  
United States District Judge